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**From:** asmerwin@imt.net  
**To:** jreno@co.yellowstone.mt.gov  
**Cc:** dhimme1045@aol.com  
**Subject:** testimony  
**Date:** Tue, 30 Jan 2007 7:13 PM

Jim,

Here is my testimony for the HB 367. If you can print it out and read it before the committee, I'd sincerely appreciate it. I've sent my request and a copy of this testimony to Elise Arntzen, chair, [EMARNTZEN@EXCITE.COM](mailto:EMARNTZEN@EXCITE.COM)

Sandra Merwin

1-30-07

Members of the HB 367 Committee,

I have planned to be in Helena for almost a year to testify. A chronic health issue has forced me to write instead of speak this. I am very sorry that I am not present to say this in person.

I am a third generation Montanan. I was born in Sidney, raised in Havre, went to school at the U of M and now I reside in Billings.

When I was growing up in Havre, the kids saved their money to buy a few fireworks. My dad told me that it was burning my money to buy fireworks with my hard earned dollars. Most the kids had a few firecrackers and lit a couple of sparklers during the fourth of July. We had a few problems with burns and injuries but we were farm kids and took it in stride. That's how it was.

Today the Fourth of July is no longer a couple of days of firecrackers, a few sparklers and a town picnic.

Last year in Billings, fireworks started the Molt fire which burned hundreds of acres and threatened homes. The smoke was so thick that homeowners couldn't see to evaluate. Last year boys shot firecrackers from slingshots and started a fire that almost burned Montana Zoo. Last year in Kalispell, a boy was hospitalized in serious condition when he put firecrackers in a stone mailbox and the shrapnel severed an artery. Last year a family celebrating the fourth of July saw their family dog get his jaw blown off. And these are only a few of the stories from Montana.

Fireworks are legal in the county. I've lived in the country where people think that they have the right to be on your land: dump garbage on your land, leave gates open, harass animals and shoot fireworks. Often people think that because they are in the county they can set off fireworks where they please.

A few people talk of fireworks as some kind of cultural heritage. Please remember that a great part of Montana's cultural heritage is a respect for property rights. Please remember the property rights of the residents living near Molt who almost lost their homes last year because someone started a fire with fireworks. Please remember that Eastern Montana burns pretty fast.

I enjoy public displays of fireworks. I support the use of fireworks when they DO NOT interfere with other peoples rights: the right to safety and property rights. When you are making your decision about this bill, please consider the question: What's wrong with allowing the county residents to vote on how they want to handle this? I sincerely want to understand why county resident don't have a say about their own property in their own locality when it concerns fireworks? I do believe this is an emotional issue. Often when one person's right come in conflict with another person's rights, it is usually an emotional issue. Many property owners care about their rights in this issue. Fireworks supporters want the right to shoot off fireworks any time, any

place they feel like it. But these conflicting rights need to be balanced.

Someone's "right" to shoot fireworks should not endanger my home, my fields, my livestock, or my person. Fireworks shot off on a public road can land on private property starting fires, destroying a house, or a field. The loss is suffered by the property owner. Please allow the counties citizens the right to determine how to address this issue.

Sincerely,  
Sandra Merwin  
1228 Babcock Blvd.

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